

Public Law 105-243
105th Congress

An Act

To authorize the Secretary of the Interior to study the suitability and feasibility of designating the Sand Creek Massacre National Historic Site in the State of Colorado as a unit of the National Park System, and for other purposes.

Oct. 6, 1998
[S. 1695]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Sand Creek Massacre National Historic Site Study Act of 1998”.

Sand Creek
Massacre
National Historic
Site Study Act of
1998.

SEC. 2. FINDINGS.

(a) FINDINGS.—Congress finds that—

(1) on November 29, 1864, Colonel John M. Chivington led a group of 700 armed soldiers to a peaceful Cheyenne village of more than 100 lodges on the Big Sandy, also known as Sand Creek, located within the Territory of Colorado, and in a running fight that ranged several miles upstream along the Big Sandy, slaughtered several hundred Indians in Chief Black Kettle’s village, the majority of whom were women and children;

John M.
Chivington.
Black Kettle.

(2) the incident was quickly recognized as a national disgrace and investigated and condemned by 2 congressional committees and a military commission;

(3) although the United States admitted guilt and reparations were provided for in article VI of the Treaty of Little Arkansas of October 14, 1865 (14 Stat. 703) between the United States and the Cheyenne and Arapaho Tribes of Indians, those treaty obligations remain unfulfilled;

Cheyenne Tribe.
Arapaho Tribe.

(4) land at or near the site of the Sand Creek Massacre may be available for purchase from a willing seller; and

(5) the site is of great significance to the Cheyenne and Arapaho Indian descendants of those who lost their lives at the incident at Sand Creek and to their tribes, and those descendants and tribes deserve the right of open access to visit the site and rights of cultural and historical observance at the site.

SEC. 3. DEFINITIONS.

In this Act:

(1) SECRETARY.—The term “Secretary” means the Secretary of the Interior acting through the Director of the National Park Service.

(2) SITE.—The term “site” means the Sand Creek Massacre site described in section 2.

- (3) TRIBES.—The term “Tribes” means—
(A) the Cheyenne and Arapaho Tribe of Oklahoma;
(B) the Northern Cheyenne Tribe; and
(C) the Northern Arapaho Tribe.

SEC. 4. STUDY.

Deadline

(a) IN GENERAL.—Not later than 18 months after the date on which funds are made available for the purpose, the Secretary, in consultation with the Tribes and the State of Colorado, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a resource study of the site.

(b) CONTENTS.—The study under subsection (a) shall—

(1) identify the location and extent of the massacre area and the suitability and feasibility of designating the site as a unit of the National Park System; and

(2) include cost estimates for any necessary acquisition, development, operation and maintenance, and identification of alternatives for the management, administration, and protection of the area.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

Approved October 6, 1998.

LEGISLATIVE HISTORY—S. 1695:

HOUSE REPORTS: No. 105-697 (Comm. on Resources).

SENATE REPORTS: No. 105-244 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 144 (1998):

July 17, considered and passed Senate.

Sept. 18, considered and passed House.